

IN RE APPHARVEST SECURITIES LITIGATION


ORDER

The Court has reviewed the motion for preliminary approval of the class action settlement. Any objections to the motion shall be filed by no later than March 4, 2024, at which point the Court will consider the motion. In the interim, Lead Plaintiff's Counsel is directed to address the following questions: (1) whether, with respect to the long form notice, Dkt. No. 117-3, the box setting for the legal rights and options of putative class members on ECF p. 3 should make clear that a putative class member can object and still submit a claim form, and the language currently in bold in paragraph 36 on ECF p. 9 should be in roman type without bolding; (2) whether, with respect to the postcard notice, Dkt. No. 117-5, the notice should indicate that putative class members can object to the settlement while also filing a claim; and (3) whether, with respect to the summary notice, Dkt. No. 117-6, the last full paragraph on ECF p. 3 should contain a sentence stating, in substance, that putative class members who exclude themselves from the settlement will not be able to object to the settlement. Lead Plaintiff's Counsel is also directed to provide support for the provision of the proposed settlement permitting administrative expenses of up to \$100,000 without further order of the Court and whether such amount might be reduced without compromising the notice to be provided to putative class members.

A response to this Order shall be filed on ECF no later than February 26, 2024.

SO ORDERED.

Dated: February 21, 2024  
New York, New York



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LEWIS J. LIMAN  
United States District Judge